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25 DECLARATION OF JOSHUA

26 OSBORNE-KLEIN(C07-3950 JF) - 1 -

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED FARM WORKERS; SEA MAR) Civ. No. C07-3950 JF
COMMUNITY HEALTH CENTER;)
PINEROS Y CAMPESINOS UNIDOS DEL)
NOROESTE; BEYOND PESTICIDES;) DECLARATION OF JOSHUA OSBORNE-
FRENTE INDIGENA de) KLEIN
ORGANIZACIONES BINACIONALES;)
FARM LABOR ORGANIZING)
COMMITTEE, AFL-CIO; TEAMSTERS)
LOCAL 890; PESTICIDE ACTION)
NETWORK NORTH AMERICA; MARTHA)
RODRIGUEZ; and SILVINA CANEZ,)
Plaintiffs,)
v.)
ADMINISTRATOR, U.S.)
ENVIRONMENTAL PROTECTION)
AGENCY,)
Defendant.)

I, JOSHUA OSBORNE-KLEIN, state and declare as follows:

1. I am an attorney with Earthjustice, counsel for plaintiffs United Farm Workers et al. in the above-captioned case. I make the statements set forth in this declaration on the basis of personal knowledge.

2. Attached to this declaration are true and correct copies of the following documents:

Exh. 1: Trout Unlimited v. Lohn, No. C05-1128C
(W.D. Wash. May 4, 2006) (Order).

Exh. 2: Washington Toxics Coalition v. Dep't of Interior, No. C04-1998C
(W.D. Wash. June 14, 2005) (Order).

Exh. 3: DOJ Guidance to Federal Agencies on Compiling the Administrative Record,
(January 1999).

DECLARATION OF JOSHUA
OSBORNE-KLEIN(C07-3950 JF) - 2 -

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Exh. 4: United Farm Workers v. Administrator, EPA, CV04-0099-RSM
(W.D. Wash.) (Plaintiffs' Opposition and Reply).

Exh. 5: Trout Unlimited v. Lohn, No. C05-1128C (W.D. Wash. June 28, 2006) (Order).

Exh. 6: FOIA Request dated November 9, 2007 directed to Records, FOIA, and Privacy Branch, Office of Environmental Information, Environmental Protection Agency.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th day of November, 2007, in Seattle, Washington.

/s/ Joshua Osborne-Klein
JOSHUA OSBORNE-KLEIN

DECLARATION OF JOSHUA
OSBORNE-KLEIN(C07-3950 JF) - 3 -

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